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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,946	12/09/2003	Ralph McCall	PUS-M012-001	2718
35246 7590 11/27/2007 MOETTELI & ASSOCIES SARL CASE POSTALE 486 GENEVA, CH-1211 SWITZERLAND			EXAMINER TIMBLIN, ROBERT M	
			ART UNIT 2167	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/729,946

Applicant(s)

MCCALL, RALPH

Examiner

Robert M. Timblin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to application 10/729,946 filed on 12/09/2003.

#### ***Response to Amendment***

Applicant cancels claims 6-10 while leaving claims 1-5 and new claim 11 pending. Claims 1, 2, 4 and 5 have been amended. The Examiner also wishes to point out that although claims 2, 4, and 5 have been amended, they have been incorrectly labeled as "previously presented).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al ('Cohen' hereafter) U.S. Patent Application 2003/0059758 in view of Martin et al. ('Martin' hereafter) U.S. Patent Application 2002/0059758.

With respect to claim 1, Cohen teaches a system for developing customer relationships with a reader/viewer of a traditional media relating a story having a title, a body, and an end, and points of interest interspersed throughout the story, wherein the system comprises:

the traditional media being a published printed a media storage device (drawing reference 101; e.g. a printed book), and said story (figure 1B) being stored therein; and

wherein the published printed media (drawing reference 101) has a contact aid (102, 104; i.e. the indicia and a visual cue) in the body of the story (figure 1B) proximate one of the points of interest (0019, 0023), the contact aid (102, 104) being an address (0022; i.e. a web address), wherein, upon selection (figure 3) of the contact aid (102, 104) by the reader/viewer (110), a channel of communication (0016, figure 1A) is established from which the reader/viewer (110) interacts with the customer relationship management module regarding the point of interest (0019, 0023), the CRMM capturing information about the reader/viewer (110) and analyzing the captured information only if the reader/viewer (110) selects the contact aid (102, 104), serving up appropriate portions of supplemental data (0018) to the reader/viewer (110).

Cohen fails to explicitly state a customer relationship management module (CRMM) resident on a host computer system and accessible via a global computer network and further, Cohen fails to teach the CRMM capturing information about the reader/viewer and analyzing the captured information.

Martin, however, teaches a customer relationship management module (CRMM) (0169) resident on a host computer system (0167) and accessible via a global computer network (figure 1) and further, Cohen teaches the CRMM (0169) capturing information (0166) about the reader/viewer (i.e. capturing data about a user of the system) and analyzing the captured information (0166) for collecting consumer usage and preference data.

In the same field of endeavor, (i.e. monitoring user interaction with a system), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the teaching of Martin would have provided Cohen's system with collecting and analyzing viewer usage of the system for the benefit of fully engaging that user in the system (Cohen discloses such a need in 0007). The teachings of Martin would also have helped a user of Cohen's system to better purchase goods and services (0021, Cohen).

With respect to claim 2, Cohen teaches the system of claim 1, wherein the contact aid is an address of the CRMM accessible via the global computer network which is selected from the group of CRMM addresses consisting of character-specific postal addresses, telephone numbers, email addresses, SMS addresses, chat room addresses (0021), IP addresses, web page addresses (0022), activatable mail to hyperlink, and hypertext link to a URL addresses, and which address is input by the reader/viewer into a client device having connectivity with the global computer network (114).

With respect to claim 3, Cohen teaches identifying supplemental data in a supplemental database on which the supplemental data is stored; and

a server (0005) which serves up the supplemental data (0018) to the reader/viewer (110).

Cohen fails to expressly teach the CRMM comprises at least a customer profile capture module (CPCM) for capturing information about the reader/viewer; a processor

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which analyses the captured information, identifying supplemental data in a supplemental database on which the supplemental data is stored; and a server which serves up the supplemental data to the reader/viewer.

Martin, however, teaches the CRMM (0169) comprises at least a customer profile capture module (CPCM) for capturing information about the reader/viewer (0011); a processor (0099) which analyses the captured information (0166) for proving consumer profile data.

In the same field of endeavor, (i.e. monitoring user interaction with a system), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the teaching of Martin would have provided Cohen's system with user profile data with which to better serve a reader/viewer for the benefit of a more fully engaged system.

With respect to claim 4, Cohen teaches A published printed media (abstract) for relating a story having a title, a body, an end (figure 1A-B), and points of interest (0019, 0023) interspersed throughout the body, wherein the published printed media comprises at least one contact aid (102, 104) published in the story proximate a point of interest (0019, 0023), wherein, upon selection by a reader/viewer (110), the contact aid (102, 104) being an address, establishes a channel of communication from which the reader/viewer (110) can interact with the customer relationship management module (CRMM) regarding the point of interest (0019, 0023), the CRMM capturing information about the reader/viewer (110), the CRMM further serving up appropriate portions of supplemental data (0018) to the reader/viewer (110); wherein the contact aid (102, 104)

is associated with an author or a character (0021, 0028; i.e. interacting with characters of a store, 118C) of the story (figure 1A).

Cohen fails to explicitly state a customer relationship management module (CRMM) resident on a host computer system and accessible via a global computer network and further, Cohen fails to teach the CRMM capturing information about the reader/viewer and analyzing the captured information.

Martin, however, teaches a customer relationship management module (CRMM) (0169) resident on a host computer system (0167) and accessible via a global computer network (figure 1) and further, Cohen teaches the CRMM (0169) capturing information (0166) about the reader/viewer (i.e. capturing data about a user of the system) and analyzing the captured information (0166) for collecting consumer usage and preference data.

With respect to claim 5, Cohen teaches the published printed media of claim 4, wherein the contact aid is selected from the group consisting of character-specific postal addresses, telephone numbers, email addresses, SMS addresses, chat room addresses, IP addresses, web page addresses, activatable mail to hyperlink, and hypertext link to a URL addresses (0022), and which address is input by the reader/viewer (110) into a client device (108) having connectivity with the global computer network (114).

With respect to claim 11, Cohen teaches the system of claim 1, wherein the media storage device is selected from the group of printed media storage devices

consisting of: books, journals, magazines, and newspapers (abstract, i.e. a printed book).

### ***Response to Arguments***

Applicant's arguments, see page 5 of the remarks, filed 9/13/2007, with respect to the cited prior art providing printed media have been fully considered and are persuasive. The previous 35 U.S.C. 103 rejection in view of Rasmussen has been withdrawn. However, in view of the newly found Cohen reference, the limitation of printed media is taught.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent to Iggliden on 9-21-1999. The subject matter disclosed therein pertains to the pending claims (i.e. enhanced reading).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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